



STATEMENT OF AT&T CONNECTICUT

Regarding Raised House Bill No. 5815 An Act Concerning the Mission of the Department of Public Utility Control Before the Committee on Energy and Technology March 7, 2008

Proposal:

House Bill 5815 would make certain changes to the responsibilities of the Department of Public Utility Control, in particular, with regard to rates and costs of certain public service companies and complaints regarding public service companies.

Comments:

AT&T opposes House Bill 5815 as currently drafted. Section 1 of House Bill 5815 (c) would require, rather than leave to the discretion of the Department of Public Utility Control (Department), the appointment of an examiner to ascertain facts concerning matters coming before the Department. This section appears to remove Commissioners from the hearing process. In AT&T's experience, the hands on participation of Commissioners in the fact finding process can be a valuable tool. While Commissioners need not preside over all proceedings, certainly their experience and active participation is critical in certain proceedings. The public interest is best served by allowing the Department the discretion to determine, based on the circumstances, whether the appointment of an examiner to ascertain the facts is the best course of action.

AT&T has no comment concerning Section 3 of the bill as AT&T retail services under the jurisdiction of the Department are either competitive services or are subject to alternative regulation rather than rate of return regulation. Section 3 specifically exempts "telecommunications service which is a competitive service . . . or . . . a telecommunications service to which an approved plan for an alternative form of regulation applies." Section 2 of the bill would require the Department to undertake certain analysis and notification to the legislature with regard to the cost impact of certain proceedings on rate payers. AT&T suggests to the committee that, consistent with Section 3, Section 2 should exclude proceedings regarding competitive telecommunications services and telecommunications services subject to an alternate form of regulation.

Section 4 of the bill would require the Department to open a docket whenever it receives ten complaints of a similar nature regarding a public service company and determine a resolution to the complaints within forty-five days. AT&T would suggest to the committee that in some cases, such complaints might be resolved more efficiently outside of the docket process, a process which is expensive and time consuming for all parties. The public interest would be better served by leaving appropriate treatment of such complaints to the Department. However, if the committee decides to go forward with this proposal, AT&T would further suggest that complaints regarding Certified Local Exchange Carriers (CLEC) should be included since CLECS provide telecommunications services in Connecticut under the jurisdiction of the Department.

Conclusion:

AT&T services are either competitive services or are subject to alternative regulation, rather than rate of return regulation. Thus, AT&T services are specifically exempted from the provisions of Section 3 of House Bill 5815, and should be exempted from the provisions of Section 2. With regard to Sections 1 and 4, in the interest of quality and efficiency, AT&T suggests that the public interest would be better served by leaving the decision to appoint an examiner and the appropriate treatment of multiple complaints of a similar nature to the discretion of the Department of Public Utility Control. Moreover, AT&T strongly suggests that any treatment of complaints of public service companies must include complaints regarding providers of similar services, specifically CLECs.